

**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

JEREMY JOSEPH STROHMEYER,

Plaintiff,

vs.

K. BELANGER, et al.

Defendants.

3:14-cv-661-RCJ-WGC

ORDER

The Plaintiff has made three objections to this Court challenging the holdings of Magistrate Judge William G. Cobb. The Court finds that all of these objections are without merit and denies the Plaintiff's objections.

A court reviews orders by magistrate judges under 28 U.S.C. § 636(b)(1). Under the statute, non-dispositive orders are only overturned if they are "clearly erroneous or contrary to law." 28 U.S.C. § 636(b)(1)(A); Fed. R. Civ. P. 72(a).

First, in the Plaintiff's Objection (ECF No. 100), the Plaintiff argues that the Magistrate Judge erred by denying the Plaintiff's Motion to Strike the Defendants' Answer to the Second Amended Complaint in his Minute Order (ECF No. 97). The crux of Plaintiff's argument is that the Nevada Attorney General cannot represent a party without an acceptance of service. The Plaintiff presents no authority for the premise nor can the Court find any such authority. Accordingly, the Court finds that the Magistrate Judge did not err.

1 In the next Objection (ECF No. 101), the Plaintiff argues that The Magistrate Judge erred
2 in Minute Order (ECF No. 95). The Magistrate Judge denied the Plaintiff's Motion to Strike the
3 joinder of Defendant Michael Ward to the Defendant's Answer to the Second Amended Complaint
4 (ECF No. 94). The Plaintiff hopes that by striking the joinder he will be able to obtain default
5 judgment. However, default judgments are strongly disfavored by the courts and there is no rule
6 against the joinder of Mr. Ward to the answer. Thus, this Court holds that the Magistrate Judge did
7 not err.

8 In the last Objection (ECF No. 108), the Plaintiff contends that the Magistrate Judge erred
9 in Minute Order (ECF No. 103). The Magistrate Judge denied the Plaintiff's motion to recover
10 costs from the Defendants for his appeal to the Ninth Circuit. The Plaintiff claims that he should
11 not have to pay for a successful appeal, because the fee is unjust. However, there is no rule to
12 support this finding, especially one that would allow for the recovery from defendants that had yet
13 to appear. Therefore, the Court holds that the Magistrate Judge did not err.

14 CONCLUSION

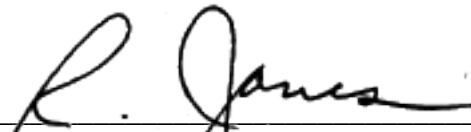
15 IT IS HEREBY ORDERED that Plaintiff's Objection (ECF No. 100) is DENIED.

16 IT IS FURTHER ORDERED that Plaintiff's Objection (ECF No. 101) is DENIED.

17 IT IS FURTHER ORDERED that Plaintiff's Objection (ECF No. 108) is DENIED.

18 IT IS SO ORDERED.

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20 Dated this 29th day of May, 2019.

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23 ROBERT C. JONES
24 United States District Judge